

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 34754 of 2016

Date of decision: 6.12.2016

Raghubir Kaur

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. Sanjeev Sharma, Advocate.
Ms. HK Athwal, DAG, Punjab

M.M.S.BEDI,J.

The complainant in the present case is son-in-law of the petitioner and has got matrimonial dispute with his wife. Complainant Jaswinder Singh has levelled allegations against the petitioner that she wrongly represented to be a widow, whereas her husband Bhupinder Singh was still alive. On the basis of said conduct of the petitioner, the complainant married daughter of the petitioner. The name of the petitioner in the marriage certificate was recorded as widow of Bhupinder Singh. She allegedly forged a passport , prepared in the name of Raghubir Kaur Dhillon wife of Gurdev Singh Dhillon.

After hearing counsel for the parties and going through the contents of the FIR, I am of the opinion that it will certainly be a debatable issue, during the course of trial whether the allegations against the petitioner even if admitted, could be said to have caused any wrongful loss to the complainant. The vindictiveness of the petitioner is writ large.

Since no one from the investigating agency has approached the State counsel and counsel for the petitioner has stated at bar that pursuant to the interim order passed by this court the petitioner has joined

the investigation, I am of the considered opinion that the circumstances of the case do not warrant custodial interrogation of the petitioner, who happens to be an old lady.

Accordingly, the petition is allowed and it is ordered that in case of arrest of the petitioner, she will be released on bail to the satisfaction of the arresting officer subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.

December 6 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No